IN THE CLAIMS:

Claims 17, 24, 28, and 29 have been amended.

The listing of claims will replace all prior versions, and listings of the claims in the application.

Listing of Claims

1-16. (Canceled)

17. (Currently amended) A method for stimulating angiogenesis in a subject who has [[an]] a muscle injury[[,]] comprising the step of:

injecting into muscle tissue of the injured muscle of the subject an isolated nucleic acid expression construct that is substantially free from a viral backbone; wherein

the muscle tissue comprises cells; and

the isolated nucleic acid expression construct comprises:

a myogenic promoter;

a nucleic acid sequence encoding an insulin-like growth factor I ("IGF-I"); and

a 3' untranslated region (3'UTR);

wherein ~~the isolated nucleic acid expression construct is substantially free from a viral backbone; and~~

~~the~~ myogenic promoter, the nucleic acid sequence encoding IGF-I, and the 3'UTR are operably linked; whereby cells of the muscle tissue of the injured muscle of the subject take up the isolated nucleic acid expression construct and IGF-I ~~or functional biological equivalent thereof~~ is expressed, and angiogenesis is stimulated in the muscle tissue of the injured muscle of the subject.

18. – 20. (Canceled)

21. (Previously presented) The method of claim 17, wherein the 3'UTR comprises a nucleic acid sequence that is a skeletal alpha actin gene or a human growth hormone gene, and retains 3'UTR activity.

22. (Previously Presented) The method of claim 17, further comprising: mixing the isolated nucleic acid expression construct with a transfection-facilitating system before delivering the isolated nucleic acid expression construct into the muscle tissue of the injured muscle of the subject.

23. (Previously Presented) The method of claim 22, wherein the transfection-facilitating system is a liposome, or a cationic lipid.

24. (Currently amended) The method of claim 17, wherein the isolated nucleic acid expression construct comprises a nucleic acid sequence encoding ~~IGF-I comprising~~ an amino acid sequence of SEQ ID NO.:4 and retains the function of inducing angiogenesis in muscle tissue.

25. (Canceled).

26. (Previously Presented) The method of claim 17, wherein the isolated nucleic acid expression construct comprises Seq. ID NO. 1.

27. (Canceled)

28. (Currently amended) The method of claim [[27]] 17, further comprising mixing the isolated nucleic acid expression construct with an effective concentration of a transfection polypeptide before delivering the isolated nucleic acid expression construct into muscle tissue of the injured muscle of the subject, wherein the transfection-facilitating polypeptide comprises a charged polypeptide.

29. (Currently amended) The method of claim [[27]] 28, wherein the transfection-facilitating polypeptide comprises poly-L-glutamate.

30. (Canceled).

31. (Original) The method of claim 17, wherein the nucleic acid expression construct is delivered into the tissue of the subject via a single administration.

32. (Canceled).

33. (Original) The method of claim 17, wherein the cells of the tissue are diploid cells.

34. - 37. (Canceled).

38. (Original) The method of claim 17, wherein the subject is a human, a pet animal, a farm animal, a food animal, or a work animal.

39. - 40. (Canceled).

41. (Previously presented) The method of claim 17, wherein the myogenic promoter comprises SEQ ID No.: 3.

42. (Previously presented) The method of claim 17, wherein the 3'UTR comprises SEQ ID No.: 5 or SEQ ID No.: 6.

43. (Previously presented) The method of claim 17, further comprising the step of: electroporating the muscle tissue of the injured muscle after the nucleic acid expression construct has been delivered into the muscle tissue of the injured muscle of the subject.

44. (Previously presented) The method of claim 24, further comprising the step of: electroporating the muscle tissue of the injured muscle after the nucleic acid expression construct has been delivered into the muscle tissue of the injured muscle of the subject.